

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO. 2513-01
BILL NO. HB 2103
SUBJECT: Project Exile
TYPE: Original
DATE: April 18, 2000

FISCAL SUMMARY

| ESTIMATED NET EFFECT ON STATE FUNDS | | | |
|---|----------------------------|----------------------------|----------------------------|
| FUND AFFECTED | FY 2001 | FY 2002 | FY 2003 |
| General Revenue | (Exceeds \$807,617) | (Exceeds \$853,794) | (Exceeds \$872,985) |
| | | | |
| Total Estimated Net Effect on <u>All</u> State Funds | (Exceeds \$807,617) | (Exceeds \$853,794) | (Exceeds \$872,985) |

| ESTIMATED NET EFFECT ON FEDERAL FUNDS | | | |
|---|------------|------------|------------|
| FUND AFFECTED | FY 2001 | FY 2002 | FY 2003 |
| None | | | |
| | | | |
| Total Estimated Net Effect on <u>All</u> Federal Funds | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON LOCAL FUNDS | | | |
|--|------------------|------------------|------------------|
| FUND AFFECTED | FY 2001 | FY 2002 | FY 2003 |
| Local Government | (Unknown) | (Unknown) | (Unknown) |

Numbers within parentheses: () indicate costs or losses

This fiscal note contains 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator** would not expect a significant impact on the budget of the judiciary.

Officials from the **Office of State Public Defender (SPD)** assume at least 1,480 cases will move from class B Misdemeanor for Use of a Weapon to a class B Felony. The proposal also creates several new crimes relating to use of weapons. SPD assumes it will require 11 FTE Assistant Public Defender, 4 FTE Paralegal Investigator, and 2.25 FTE Legal Secretary positions plus the related expense and equipment, to represent indigent persons accused of armed criminal actions.

Currently, the **Department of Corrections (DOC)** cannot predict the number of new commitments which may result from the creation of the offense(s) outlined in this proposal. An increase in commitments depends on the utilization by prosecutors and the actual sentences imposed by the court. If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in operational costs either through incarceration (average of \$35.61 per inmate, per day) or through supervision provided by the Board of Probation and Parole (average of \$2.47 per offender, per day).

The need for additional capital improvements is not anticipated at this time. It must be noted that the cumulative effect of various new legislation, if adopted, could result in the need for additional capital improvements funding if the total number of new offenders exceeds current planned capacity.

Due to the wide variance of crimes and punishments including newly created crimes and punishments, the fiscal impact as it relates to the DOC is unknown, but estimated to exceed \$100,000 annually.

Officials from the **Jefferson City Police Department** assume the proposed legislation would have no fiscal impact on their agency.

Officials from the **Office of Prosecution Services** assume the proposed legislation would have an unknown impact on the caseload of local prosecuting attorneys.

DESCRIPTION (continued)

(3) Expands the crime of unlawful use of weapons to include persons who carry firearms or other deadly weapons on school property or while in possession of a controlled substance. Both are class D felonies (Section 571.030); and

(4) Creates "Project Exile," a program that requires the state to review certain weapons offense cases for the possibility of federal prosecution. The proposal also requires that the Attorney General be notified of and keep a record of investigations and prosecutions pursuant to the program.

This legislation is not federally mandated, would not duplicate any other program, and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of State Courts Administrator
Department of Corrections
Office of Prosecution Services
Office of State Public Defender
Jefferson City Police Department

NOT RESPONDING: Office of Attorney General, Jackson County Prosecuting Attorney, Cole County Prosecuting Attorney, Boone County Prosecuting Attorney, St. Louis County Prosecuting Attorney, Springfield Police Department, St. Louis Police Department, Kansas City Police Department



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Director
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